



REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICIAL USE ONLY

Application #: 213-053/13375-00000-00701

Date Received: 10/17/13

Application Accepted By: TP + SP

Fee: \$0

Comments: _____

LOCATION AND ZONING REQUEST:

Certified Address (for Zoning Purposes) 4480 Winchester Pike Zip 43232

Is this application being annexed into the City of Columbus ☒ Yes ☐ No (circle one)

If the site is currently pending annexation, Applicant must show documentation of County Commissioner's adoption of the annexation petition.

Parcel Number for Certified Address 180-001440, 180-001492, 180-001493

☐ Check here if listing additional parcel numbers on a separate page.

180-001492 - Community Commercial

Current Zoning District(s) 180-001440, 180-001493 - Community Service Requested Zoning District(s) C-4 Regional Scale Commercial

Area Commission Area Commission or Civic Association: Southeast Community Coalition

Proposed Use or reason for rezoning request: Ohio Mulch Retail Landscape Supply Store, including but not limited to the sales and outdoor display of bagged/bulk mulch, soils, gravel & other landscape supply items (Indicate on separate page if necessary)

Proposed Height District: H-35

Acreage 2.557

[Columbus City Code Section 3309.14]

APPLICANT:

Name James A. Weber II, Member of Weber Holdings-South, LLC

Address 1600 Universal Rd. City/State Columbus, Ohio Zip 43207

Phone # 614.445.4455 Fax # 614.445.4464 Email kchek@ohiomulch.com

PROPERTY OWNER(S):

Name Weber Holdings-South, LLC

Address 1600 Universal Rd. City/State Columbus, Ohio Zip 43207

Phone # 614.445.4455 Fax # 614.445.4464 Email kchek@ohiomulch.com

☐ Check here if listing additional property owners on a separate page

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney

☐ Agent

Name Kristin E. Chek, Esq.

Address 1600 Universal Rd. City/State Columbus, Ohio Zip 43207

Phone # 614.445.4455 Fax # 614.445.4464 Email: kchek@ohiomulch.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE James A. Weber II

PROPERTY OWNER SIGNATURE James A. Weber II

ATTORNEY / AGENT SIGNATURE Kristin E. Chek

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that the City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc. may delay the review of this application.

PLEASE NOTE: incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer



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AFFIDAVIT

(See instruction sheet)

APPLICATION # 213-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME James A. Weber II, Member of Weber Holdings-South, LLC
of (1) MAILING ADDRESS 1600 Universal Rd., Columbus, Ohio 43207

deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a
list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) CERTIFIED ADDRESS FOR ZONING PURPOSES 4480 Winchester Pike
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) 10/17/13

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

☐ Check here if listing additional property owners
on a separate page.

(4) Weber Holdings-South, LLC
1600 Universal Rd.
Columbus, Ohio 43207

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

James A. Weber II
614.445.4455

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Southeast Community Coalition c/o Judy White
PO Box 16
Brice, Ohio 43109

and that the attached document (6) is a list of the names and complete mailing addresses, including zip codes, as
shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of
record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and
all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or
the property owner owns the property contiguous to the subject property(7)

SIGNATURE OF AFFIANT

(8) James A. Weber II

Subscribed to me in my presence and before me this 17th day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

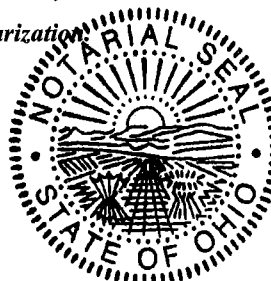
(8) Kristine E. Chek

My Commission Expires:

N/A

This Affidavit expires six months after date of notarization

Notary Seal Here



KRISTIN E. CHEK
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.

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**Surrounding Property Owners, Applicant, Property Owner, Attorney, Area Commission
4480 Winchester Pike**

Windham Investments, LLC
7321 Waterton Ln.
Lakewood Ranch, FL 34202

Windham Investments, LLC
7921 Waterton Ln.
Lakewood Ranch, FL 34202

Windham Investments, LLC
7921 Waterton Ln.
Lakewood Ranch, FL 34202

Mark & Kathleen Walsh
4444 Winchester Pike
Columbus, Ohio 43232

Christopher Weyand & April Walsh
3595 S. Hamilton Rd.
Columbus, Ohio 43232

Robert J. Dorsey
4490 Winchester Pike
Columbus, Ohio 43232

Columbia Gas of Ohio, Inc.
200 Civic Center Dr./Taxes
PO Box 117
Columbus, Ohio 43216

Lewis & Mary Slone
3456 Daglow Rd.
Columbus, Ohio 43232

Southeast Community Coalition
C/O Judy White
PO Box 16
Brice, Ohio 43109

Weber Holdings-South, LLC
1600 Universal Rd.
Columbus, Ohio 43207

Kristin E. Chek, Esq.
1600 Universal Rd.
Columbus, Ohio 43207

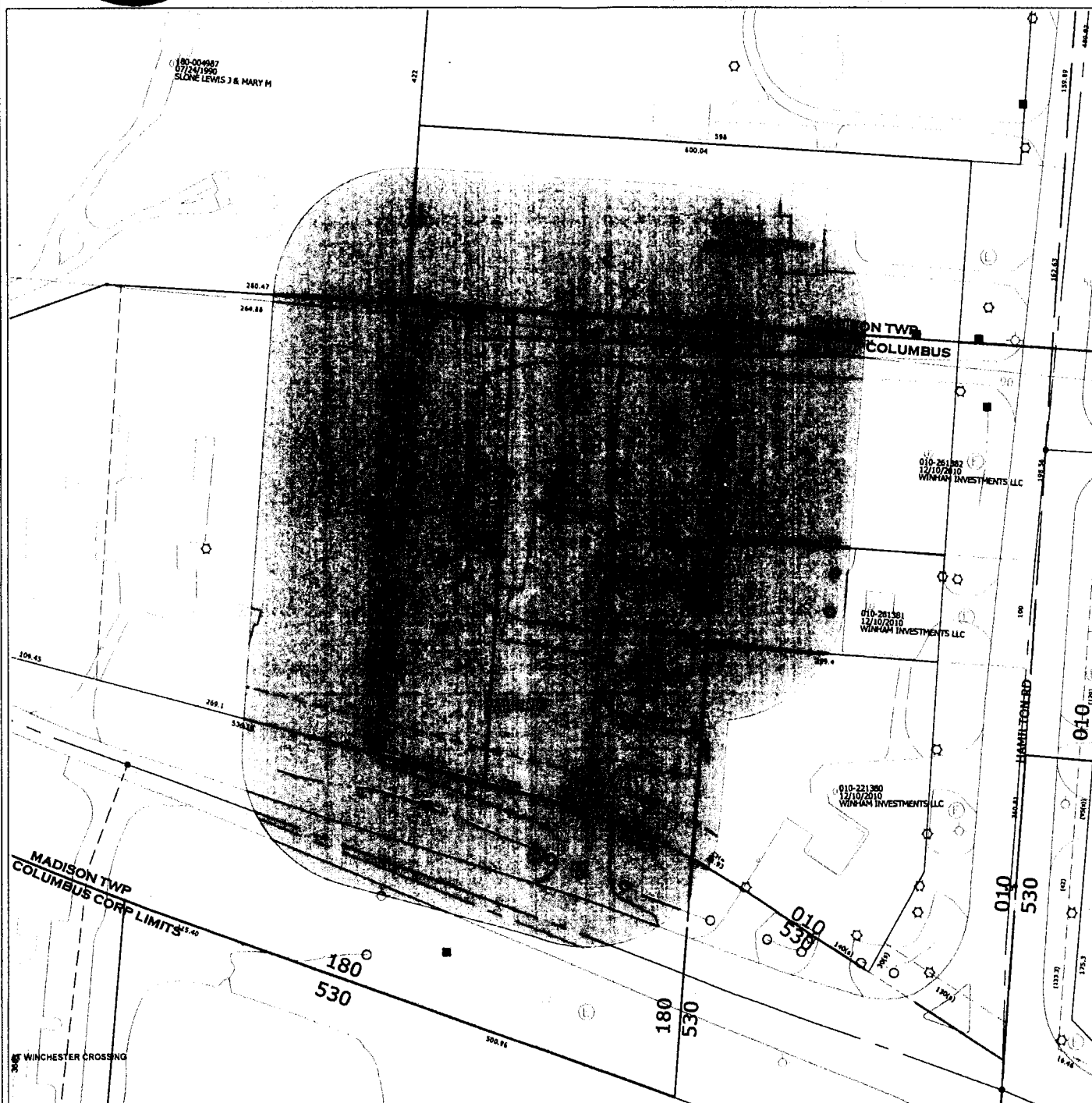
James A. Weber II, Member
1600 Universal Rd.
Columbus, Ohio 43207



CLARENCE E MINGO II FRANKLIN COUNTY AUDITOR

MAP ID: C

DATE: 10/16/13



Disclaimer

Scale = 137'



This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department

CLARENCE E. MINGO II
FRANKLIN COUNTY AUDITOR

Report of parcels touching irregular area

DATE : OCT 16, 2013

```

010-261381 * Owner: WINHAM INVESTMENTS LLC
              Address: 3475 HAMILTON RD
              Mail To: WINHAM INVESTMENTS LLC
                   : 7921 WATERTON LN
                   : LAKEWOOD RCH FL      34202

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010-261382 * Owner: WINHAM INVESTMENTS LLC
 Address: 3475 HAMILTON RD
 Mail To: WINHAM INVESTMENTS LLC
 : 7921 WATERTON LN
 : LAKEWOOD RCH FL 34202

180-000277 * Owner: WALSH MARK C WALSH KATHLEEN L
Address: 4444 WINCHESTER PI
Mail To: MARK C WALSH
: KATHLEEN L WALSH
: 4444 WINCHESTER PIKE
: COLUMBUS OH 43232

180-000941 * Owner: WEYAND CHRISTOPHER P WALSH APRIL M
Address: 3595 S HAMILTON RD
Mail To: M & T BANK/REO
: DFW 5-4
: 1 FIRST AMERICAN WAY
: WESTLAKE, TX 76262

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180-004726 *   Owner: DORSEY ROBERT J
                Address: 4490 WINCHESTER PI
                Mail To: ROBERT J DORSEY
                   : 4490 WINCHESTER PIKE
                   : COLUMBUS OH 43232
```

180-004778 * Owner: COLUMBIA GAS OF OHIO INC
Address: WINCHESTER PI

report.var
 Mail To: COLUMBIA GAS OF OHIO INC
 : 200 CIVIC CENTER DR/TAXES
 : PO BOX 117
 : COLUMBUS, OH 43216

VAK32_MMPC301 Page 1²
 CLARENCE E. MINGO II
 FRANKLIN COUNTY AUDITOR

Report of parcels touching irregular area

DATE : OCT 16, 2013

180-004987 * Owner: SLONE LEWIS J & MARY M
 Address: 3456 DAGLOW RD
 Mail To: HUNTINGTON MORTGAGE CORP
 : PO BOX 182661
 : COLUMBUS, OH 43218

535-292606 Owner:
 Address:
 Mail To:
 : *
 :
 :

535-292607 Owner:
 Address:
 Mail To:
 : *
 :
 :

535-292608 Owner:
 Address:
 Mail To:
 : *
 :
 :

VAK32_MMPC301 Page 2²



REZONING APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # 713-053

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) James A. Weber II, Member of Weber Holdings-South, LLC
of (COMPLETE ADDRESS) 1600 Universal Rd., Columbus, Ohio 43207
deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

Name of business or individual
Business or individual's address
Address of corporate headquarters
City, State, Zip
Number of Columbus based employees
Contact name and number

1. Weber Holdings, Ltd. 1600 Universal Rd. Columbus, Ohio 43207 James A. Weber II, Member (Weber Holdings, Ltd. is Sole Member of Weber Holdings-South, LLC)	2.
3.	4.

☐ Check here if listing additional parties on a separate page.

SIGNATURE OF AFFIANT

James A. Weber II

Subscribed to me in my presence and before me this 17th day of October, in the year 2013

SIGNATURE OF NOTARY PUBLIC

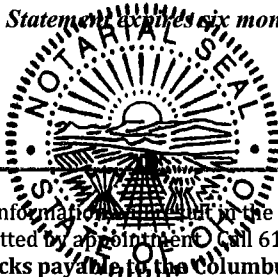
Kristin E. Chek

My Commission Expires:

N/A

This Project Disclosure Statement expires six months after date of notarization.

Notary Seal Here



KRISTIN E. CHEK
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO

My Commission Has

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City of Columbus Zoning Plat



213-053

ZONING NUMBER

The Zoning Number Contained on This Form
is Herein Certified to Obtain Zoning, Rezoning,
and Variances, and is NOT to be Used for
the Securing of Building & Utility Permits

Parcel ID: 180001440, 180001492, 180001493

Zoning Number: 4480

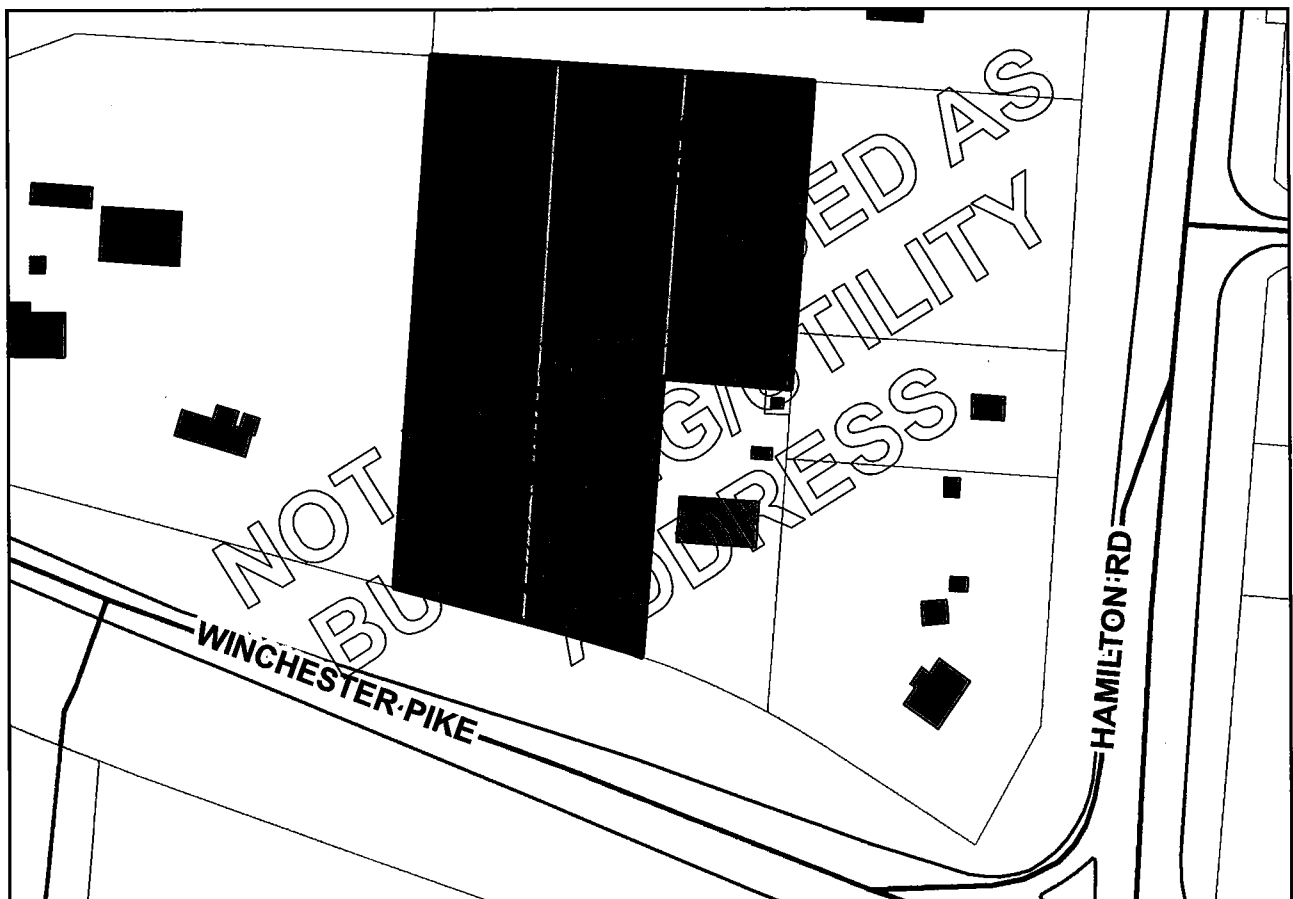
Street Name: WINCHESTER PIKE

Lot Number: N/A

Subdivision: N/A

Requested By: OHIO MULCH SUPPLY, INC. (KRISTIN CHEK)

Issued By: Cassandra Simeon Date: 10/16/2013



SCALE: 1 inch = 150 feet



PATRICIA A. AUSTIN, P.E., ADMINISTRATOR
DIVISION OF PLANNING AND OPERATIONS
COLUMBUS, OHIO

LEGAL DESCRIPTION 4480 WINCHESTER PIKE

Situated in the State of Ohio, County of Franklin, Township of Madison, in Section 9, Township 11, Range 21, Mathew's Survey being all of Parcels 1, 2 and 3 containing 2.557 acres of land described in a deed to Weber Holdings – South, LLC of record in Instrument 201204060048327 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the northeasterly corner of the 0.556 acre, Parcel 3 described in said Instrument 201204060048327, and the northwesterly corner of that 1.350 acre tract described in a deed to Winham Investments, LLC of record in Instrument 20102100168497;

Thence South along the easterly line of said 0.556 acre tract, westerly lines of said 1.350 acre tract and a portion of that 0.687 acre tract described in said Instrument 20102100168497 and the existing City of Columbus Corporation Line, Ordinance 2183-01, Instrument 200205030111360, a distance of 242.45 feet, to the northeasterly corner of that 0.009 acre tract described in a deed to Columbia Gas of Ohio of record in Deed Book 2779, Page 577;

Thence West along the northerly line of said 0.009 acres and that 0.532 acre tract described in a deed to Robert J. Dorsey of record in Instrument 201209210141601, a distance of 100.00 feet;

Thence South along the westerly line of said 0.532 acre tract and the easterly line of that 1.023 acre Parcel 2 in Instrument 201204060048327, a distance of 215.66 feet, to the old centerline of U.S. Route 33, and the northerly right of way line of Winchester Pike;

Thence westerly along a southerly line of said 1.023 acre tract, the old centerline of U.S. Route 33, and the northerly right-of-way line of Winchester Pike, being the arc of a curve to the left, having a radius of 622.46 feet, a distance of 46.18 feet;

Thence West continuing along said right-of-way line and southerly lines of said 1.023 acre Parcel 2 and 0.978 acre Parcel 1 in said Instrument 201204060048327, a distance of 157.64 feet;

Thence North along the westerly line of said 0.978 acre tract and an easterly line of that 2.364 acre tract described in a deed to Mark C. and Kathleen L. Walsh of record in Official Record 19557 F18, a distance of 415.94 feet, to the northwesterly corner of said 0.978 acre tract, the northeasterly corner of said 2.364 acre tract and the southeasterly corner of that 6.391 acre tract described in a deed to Mary M. and Lewis J. Slone of record in Official Record 15531 E11;

Thence East along the northerly lines of said 0.978, 1.023 and 0.556 acre tracts, and a southerly line of that 2.268 acre tract described in a deed to Christopher P. Weyand and April M. Walsh of record in Instrument 201104220053132, a distance of 300.00 feet, to the Point of Beginning, containing 2.557 acres of land, more or less.

The above description was prepared by Mark A. Hazel, on March 8th, 2013, by using the best available County Records. This information was not derived from an actual field survey. The above description is not valid for the transfer of real property, and is not to be utilized in place of a Boundary Survey as defined by the Ohio Administrative Code in Chapter 4733-37.



City of Columbus

Legislation Report

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
columbuscitycouncil.org

File Number: 2097-2013

30-Day

File ID: 2097-2013

Type: Ordinance

Status: Passed

Version: 1

***Committee:** Development Committee

File Name: Annexation Acceptance AN13-002: 2.56 Acres,
Madison Township, Weber Holdings-South, LLC

File Created: 08/28/2013

Cost: \$0.00

Final Action: 09/19/2013

Auditor Cert #:

Auditor: When assigned an Auditor Certificate Number I, the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

Contact Name/No.: Lori Baudro 645-6986

Floor Action (Clerk's Office Only)

Mayor's Action

Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

Title: To accept the application (AN13-002) of Weber Holdings-South, LLC for the annexation of certain territory containing 2.56 ± acres in Madison Township.

Sponsors:

Attachments: ORD2097-2013 AN13-002 Service Statement,
ORD2097-2013 AN13-002 Map (4480 Winchester
Pike)

History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	09/09/2013	Read for the First Time				
	Action Text: Read for the First Time						
1	Columbus City Council	09/16/2013	Approved				Pass
	Action Text: This item was approved on the Consent Agenda.						
			Absent: 1	A. Troy Miller			
			Affirmative: 6	Hearcel Craig, Zachary Klein, Michelle Mills, Eileen Paley, Priscilla Tyson, and Andrew Ginther			
1	COUNCIL PRESIDENT	09/16/2013	Signed				
1	MAYOR	09/18/2013	Signed				
1	ACTING CITY CLERK	09/19/2013	Attest				

EBOCO: Following review and approval, when required, the Equal Business Opportunity Commission Office certifies compliance with Title 39 as of date listed.

City Attorney: Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

Explanation

AN13-002

BACKGROUND: This ordinance approves the acceptance of certain territory (AN13-002) by the City. The Ohio Revised Code stipulates that to be effective, City acceptance must take place a minimum of 60 days (but not more than 180) from the receipt by the City Clerk of the approval notice from the county. Should City Council not take such action within this timeframe, the annexation will not take place. This petition was filed with Franklin County on May 6, 2013. City Council approved a service ordinance addressing the site on May 20, 2013. Franklin County approved the annexation on June 11, 2013 and the City Clerk received notice on June 21, 2013.

FISCAL IMPACT: No funding is required for this legislation. Provision of municipal services does represent cost to the City; however, the annexation of land also has the potential to create revenue to the City.

Title

To accept the application (AN13-002) of Weber Holdings-South, LLC for the annexation of certain territory containing 2.56 ± acres in Madison Township.

Body

WHEREAS, a petition for the annexation of certain territory in Madison Township was filed on behalf of Weber Holdings-South, LLC on May 6, 2013; and

WHEREAS, the petition was considered and approved by the Franklin County Board of Commissioners at a hearing on June 11, 2013; and

WHEREAS, on June 21, 2013, the City Clerk received from Franklin County a certified copy of the resolution addressing the petition; and

WHEREAS, sixty days have now elapsed since receipt of the resolution in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the City of Columbus to accept the annexation of the territory addressed by the petition; **now, therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the annexation proposed by Weber Holdings-South, LLC in a petition filed with the Franklin County Board of Commissioners on May 6, 2013 and subsequently approved by the Board on June 11, 2013 is hereby accepted and said territory is hereby annexed to the City of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Madison, in Section 9, Township 11, Range 21, Mathew's Survey being all of Parcels 1, 2 and 3 containing 2.557 acres of land described in a deed to Weber Holdings - South, LLC of record in Instrument 201204060048327 (all references in this description are to the records in the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

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and 0.978 acre Parcel 1 in said Instrument 201204060048327, a distance of 157.64 feet;

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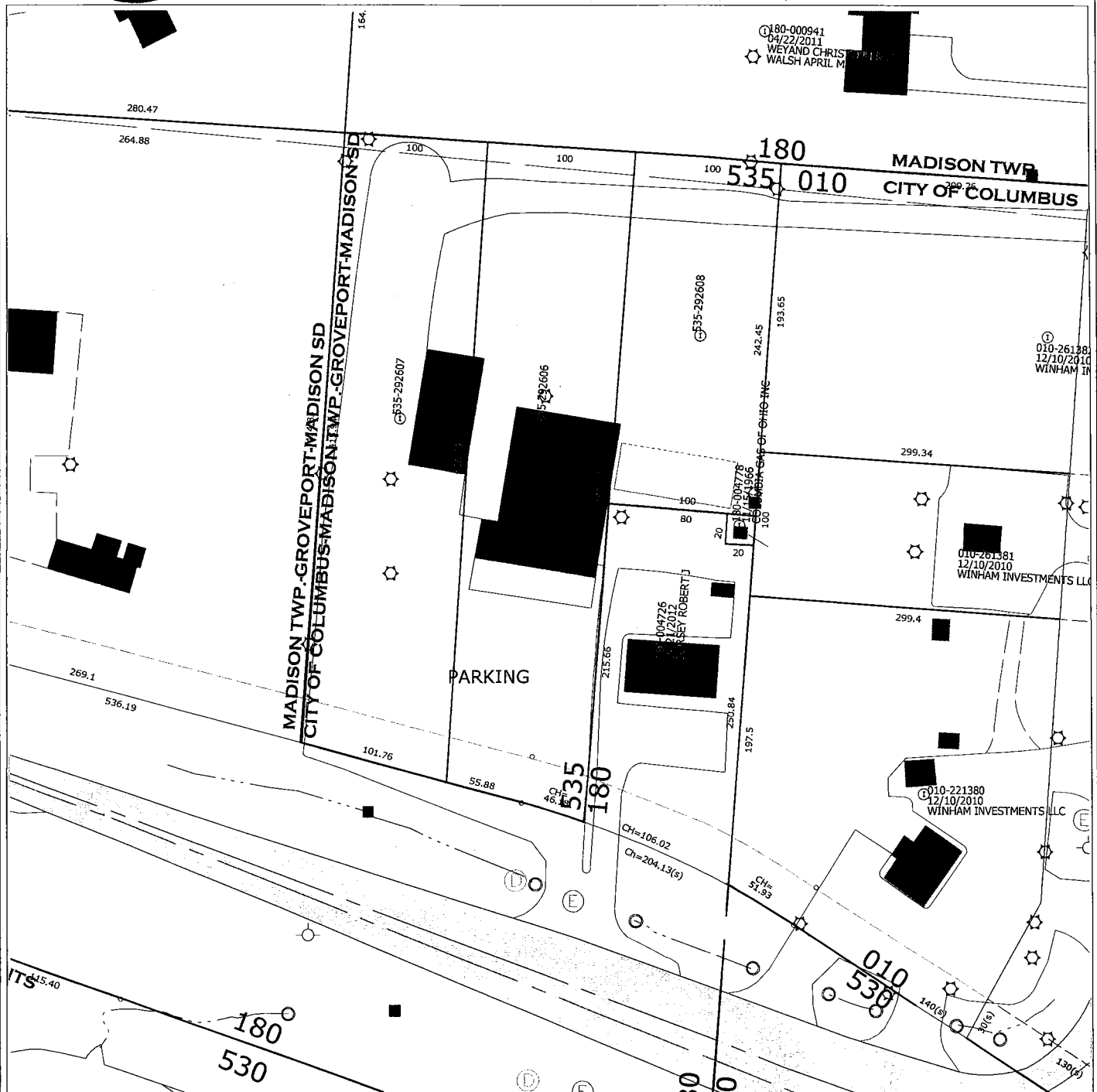
Thence East along the northerly lines of said 0.978, 1.023 and 0.556 acre tracts, and a southerly line of that 2.268 acre tract described in a deed to Christopher P. Weyand and April M. Walsh of record in Instrument 201104220053132, a distance of 300.00 feet, to the Point of Beginning, containing 2.557 acres of land, more or less.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

MAP ID: C

DATE: 10/16/13



Scale = 100

Grid North

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Real Estate / GIS Department



Z13-053
4480 Winchester Pike
Approximately 2.557 acres
Request: R to C-4



Z13-053
4480 Winchester Pike
Approximately 2.557 acres
Request: R to C-4